

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MELVIN ANTONIO XAVIER,

Petitioner,

v.

ROBERT JACKSON,

Respondent.

CASE NO. 3:24-cv-05464-JHC-GJL

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation (R&R) of Magistrate Judge Grady J. Leupold, Dkt. # 15, and the remaining record, does hereby find and ORDER:

(1) Petitioner did not file any objection to the R&R. The R&R correctly concludes that the Court should deny the Petition because it raises grounds for relief based on state, rather than federal, law. Accordingly, the Court ADOPTS the R&R.

(2) Petitioner's federal habeas Petition is DENIED.

(3) A certificate of appealability is DENIED in this case.

(4) The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. Grady J. Leupold.

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DATED this 10th day of December, 2024.


JOHN H. CHUN
United States District Judge